

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

FILED

CHAPTER 7 NO.:

WARREN & MELISSA KAY MOORE

NOV 13 2006 99-02175 - EE

ORDER APPROVING SETTLEMENT, APPOINTMENT AND
PAYMENT OF PROFESSIONALS AND APPLICATION TO
APPROVE EMPLOYMENT AND COMPENSATION
OF ATTORNEYS, NUNC PRO TUNC

THIS CAUSE came on for hearing on Trustee's Application to Approve Settlement, Appointment and Payment of Professionals and Application to Approve Employment and Compensation of Attorneys, *Nunc Pro Tunc*; and after proper and timely notice and opportunity for hearing being given to all creditors and other parties in interest herein, the Court finds that no responses have been timely filed herein and therefore Orders as follows:

1. That, prior to this case being filed there were numerous clients in which Harold J. Barkley, Jr., Harold J. Barkley, III, David Nutt & Associates, P.C. and Lundy & Davis, L.L.P. were representing this Debtor and several hundred more plaintiffs versus Kuhlman Electric Corporation, et al (hereinafter "KEC"). That numerous complaints were filed in the names of the plaintiffs against KEC in the Circuit Court of Copiah County, Mississippi and in the Circuit Court of Hinds County, Mississippi. There has been an agreed settlement as regards to Debtor in the gross amount of \$21,588.30. Debtor and the attorneys entered into an Attorney Fee Contract wherein in the event of a recovery the contingent fee of 40% would be paid together with the attorneys being reimbursed for their expenses.

2. That, the gross settlement of \$21,588.30 is hereby approved and shall be disbursed as follows:

Gross Settlement----- \$ 21,588.30

Attorneys fees:

David Nutt & Associates, P.C.(56.25%)--- \$ 4,857.36

Lundy & Davis, L.L.P. (25%)----- \$ 2,158.84

Harold J. Barkley, Jr. (9.375%)----- \$ 809.56

Harold J. Barkley, III (9.375%)----- \$ 809.56 \$ 8,635.31

*Common Benefit Expenses

David Nutt & Associates, P.C. (96%)-----	\$ 2,651.29	
Lundy & Davis, L.L.P. (3.5%)-----	\$ 96.67	
Harold J. Barkley, Jr. (.5%)-----	\$ 13.81	\$ 2,761.77

*Individual Expenses

David Nutt & Associates, P.C. (95.2%)-----	\$ 157.33	
Lundy & Davis, L.L.P. (4.8%)-----	\$ 7.94	\$ 165.27

Harold J. Barkley, Jr. – reimbursement for copies and postage for filing of Application	\$ 55.86
Accrued interest (as of February, 2006)	<u>\$ 23.79</u>

Net Proceeds	\$ 9,946.29
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3. That, this settlement is subject to a potential Medicaid/Medicare Lien. Counsel for Plaintiffs have contacted Medicaid/Medicare and are currently negotiating the amount of these liens.


4. That, the net proceeds amount, less any applicable Medicaid or Medicare Lien shall be paid to the Trustee, Derek Henderson, who will pay to the Court the amount due for having said case re-opened with the balance to be pursuant to further Order of this Court. That, said net proceeds shall not be disbursed until the amount of any Medicaid or Medicare lien has been determined.

5. That, the employment of the law offices of Harold J. Barkley, Jr., Harold J. Barkley, III, David Nutt & Associates, P.C. and Lundy & Davis, L.L.P. is hereby approved *nunc pro tunc*.

SO ORDERED this the 13th day of November, 2006.


EDWARD ELLINGTON
U. S. BANKRUPTCY JUDGE

SUBMITTED BY:


HAROLD J. BARKLEY, JR. – MSB #2008
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